IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

FRIDAY, THE 4TH MAY 2007 / 14TH VAISAKHA 1929

Bail Appl..No. 2687 of 2007

CRIME NO. 125/2007 OF KUNNIKODE POLICE STATION

PETITIONER

THANKAPPAN, S/O. VELUTHA KUNJU,
AJI BHAVAN, MYLADUMPARA WARD, PATTAZHI VILLAGE.

BY ADV. SRI.S.RAJEEV

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM. (CRIME NO.125 OF 2007 OF KUNNIKODE
POLICE STATION).

BY PUBLIC PROSECUTOR SRI. P.A.SALIM

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.P.Balachandran, J.

B.A.No. 2687 of 2007

ORDER

This is an application for anticipatory bail filed under Section 438 Cr.P.C.

2. The petitioner is the sole accused in Crime No.125/07 of Kunnikode Police Station, registered for offences under Sections 452 and 326 IPC. The occurrence in the case has taken place at 7.30 p.m. on 4.4.2007. Despite lapse of one month, the Investigating Agency could not apprehend the petitioner. In the circumstances, I am of the view that for a successful competition of the investigation in the case, it is necessary that anticipatory bail is granted to the petitioner with a direction to report before the Investigating Officer for questioning.

In the result, I allow this bail application and direct that:

(i) the petitioner do surrender before the learned Magistrate concerned positively within fifteen days from today;

(ii) that on such surrender and on his depositing, by way of cash security, an amount of Rupees fifteen thousand and executing bail bond for Rupees twenty five thousand with two solvent sureties each for like sums to the satisfaction of the learned Magistrate concerned, the petitioner shall be enlarged on bail;

(iii) that on such release the petitioner shall co-operate with the investigation in the case and shall report before the Investigating Officer between 10 a.m. and 11 a.m. on all Tuesdays and Fridays for a period of two months and thereafter on all Tuesdays only, till the investigation in the case is over and final report is laid; and

(iv) that the grant of anticipatory bail shall not stand in the way of the learned Magistrate granting custody of the petitioner to the

Investigating Officer for questioning, if the Investigating Agency so asks for and the learned Magistrate deems it fit to grant, considering the circumstances of the case.

4th May, 2007 (K.P.Balachandran, Judge)

tkv